(S)

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## HIGH COURT OF CHHATTISGARH AT BILASPUR

## WRIT PETITION (S) No. 2934 of 2007

**Petitioners**

1. Manharan Lal Sahu S/o Shri Sonsay Sahu, Age about 41 years, Asstt. Teacher, Govt. Primary School, Mircheed, Block - Bilaigarh, Distt.-Raipur (C.G.)
2. Bhuwan Lal Sahu S/o Shri Manik Das Sahu, Age about 41 years, Asstt. Teacher, Govt. Hr. Sec. School, Tundri, Block - Bilaigarh, Distt.-Raipur (C.G.)
3. Bhusatyaj Lal Chawarguwal S/o Shri Jallu Ram Chawarguwal, Age about 42 years, Asstt. Teacher, Govt. Hr. Sec. School, Tundri, Block - Bilaigarh, Distt.-Raipur (C.G.)
4. Manharan Lal Amliwar S/o Shri Bhagat Ram, Age about 40 years, Asstt. Teacher, Govt. Primary School, Odkakan, Block - Bilaigarh, Distt.-Raipur (C.G.)
5. Dilip Kumar Ohdar S/o Shri Biharu Ram, Age about 38 years, Asstt. Teacher, Govt. Primary School, Jaitpur, Block - Bilaigarh, Distt.-Raipur (C.G.)
6. Hari Shankar Sahu, S/o Shri Ram Ratan Sahu, Age abot 30 years, Asstt. Teacher, Govt. Boys Primary School, Paoni, Block - Bilaigarh, Distt.-Raipur (C.G.)
7. Ram Swarup Sahu S/o Shri Brij Ram Sahu, Age about 33 years, Asstt. Teacher, Govt. Boys Primary School, Paoni, block - Bilaigarh, Distt.-Raipur (C.G.)
8. Mohan Lal Sahu S/o Shri Sadhu Ram Sahu, Age about 35 years, Asstt. Teacher, Govt. Primary School, Mohater, Block - Bilaigarh, Distt.- Raipur (C.G.)

Versus

**Respondents**

1. State Govt. of Chhattisgarh Through : Secretary, School Education Department, Ministry, D.K.S. Bhavan, Raipur (C.G.)
2. District Education Officer, Raipur (C.G.)
3. Block Education Officer, Bilaigarh, Distt.- Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri**

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Present: Shri Ajay Shrivastava, Advocate for the petitioners.
Shri Vinay Pandey, Panel Lawyer for the State / respondents.

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**ORDER**
(Passed on 10th day of May, 2007)

1. Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the fact and question of law involved in the present writ petition are the same to that of in **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}**, which has been disposed of vide order dated 03.04.2006. Learned counsel appearing for the respondents does not controvert the said submission.

2. In subsequent cases, i.e., Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another***) and other connected matters, decided by this Court on 15-12-2006, pursuant to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute, i.e., B.T.I. has been changed and renamed as Diploma in Education, i.e., D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another***) (Supra).

3. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), subject to verification of the fact as to whether the petitioners have acquired D.Ed. Examination Certificate on their own expenses as per the circulars dated 24.12.1998 and 01.03.1999 and further whether they have been paid two advance increments or not. No order as to costs.

**Sd/-**
**Satish K. Agnihotri**
**Judge**

B/-